

Zoning Division  
Marge Schmuckal  
Zoning Administrator

Department of Urban Development  
Joseph E. Gray, Jr.  
Director



## CITY OF PORTLAND

February 1, 2001

Dennis V. Jud  
SMRT Architecture, Engineering, Planning  
144 Fore Street  
PO Box 618  
Portland, ME 04104

RE: One City Center - 032-L-002 - B-3 zone

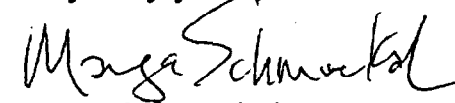
Dear Dennis,

I am in receipt of the letter that you faxed on January 25, 2001 in which you discuss your proposed generator and the decibel level sound it creates. Section 14-221.1 of the Zoning Ordinance discusses the sound requirements of the B-3 zone in which this building is located.

I believe that the generator and its emergency use, when needed, would fall under the exemption stated of, "sound created as a result of or relating to an emergency". The generator, during those times, would not be required to meet the requirements as set forth by the ordinance.

The real issue at question appears to be the recommendations of the manufacturer to run the generator for about 10 minutes, once a week for maintenance. The ordinance also allows an exemption of, "sound from temporary activities". I would consider that this testing noise is also excused from the noise requirements because of such an exemption. However, in the spirit of mitigating any future, potential problems, I would like to come to an agreement as to when this testing might occur on weekly basis. Could you please submit a list of times that the maintenance testing would most likely be performed? I think that it would be unreasonable to do this testing in the late evenings or early mornings. Please submit these times as soon as possible. However, their submittal should not hold up the review process from the prospective of zoning.

Very truly yours,

  
Marge Schmuckal  
Zoning Administrator

CC: William Needleman, Planning